

REMARKS

Claims 1, 2, 4 – 8, 12, 16, 18, 20 – 22, 24 – 28, 32, 36, 37, 40 – 42, 43, 45 – 58, 60 – 75 were pending upon entry of the Applicant's amendment dated February 8, 2011.

This paper makes amendments to claims 1, 21, 43, 52, 68, 69, 72 and 73.

The Applicant appreciates the Examiner's courtesy of an interview on October 4, 2011 to discuss the claims 69 – 75 and the suggestion of amendments to better differentiate the claims of this application from more general marketplace practices. While claim 70 was suggested by the Examiner as providing suitable language ("wherein the at least one participating partner or the establishing party, or both, is a trucker or a carrier"), the Applicant proposes herewith "wherein the at least one participating partner or the establishing party, or both, is a shipper, consignee or carrier in a transportation marketplace," since this language is consistent with the definition of a participants in a transportation marketplace provided on page 14 of the application as filed. Corresponding amendments to all of the independent claims in this application are entered herewith.

It is respectfully submitted that the language proposed above fully addresses the issue mentioned by the Examiner in the interview and thus clearly provides a patentable distinction from other forms of marketplace partnering agreements. Accordingly, reconsideration of the application and the issuance of a Notice of Allowability is respectfully solicited.

The Applicant appreciates that the Examiner advised the undersigned on October 17, 2011 that the period for reply to the previous Office Action has been reset in view of the recent interview, to accommodate the filing of this Amendment. Accordingly, it is believed that no fee is required for entry of this Amendment. Nevertheless, any fees that may be necessary to maintain the pendency of the present application may be charged to the undersigned attorney's Deposit Account No. 50-4380.

The Examiner is invited to contact the undersigned should the Examiner deem it advantageous to further advance prosecution of this application.

October 20, 2011
Date

Dilworth IP, LLC
2 Corporate Drive
Suite 206
Trumbull, CT 06611
(203) 220-8496

Respectfully submitted,
/Frederick A. Spaeth /
Frederick A. Spaeth
Reg. No. 33,793

I hereby certify that this correspondence is being transmitted via the U.S. Patent and Trademark Office electronic filing system (EFS-Web) to the USPTO on October 20, 2011.

/Nancy M. Grimm/
Nancy M. Grimm, October 20, 2011